REMARKS

Claim 1 has been revised better to point that which applicants regard as their invention and to overcome the rejection of that claim under the second paragraph of 35 USC 112. Claims 4 and 8 have been amended to overcome the rejection under 35 USC 112, second paragraph, and claim 5 has been amended to have it depend from claim 1 because claims 2 and 3 have been canceled. The claims before the Examiner, thus, are claims 1 and 4 to 9.

The objection to the specification regarding the mention on page 9 of JIS P 8147, which discusses the method for measuring the coefficients of friction is noted. Although the undersigned was not provided with an English-language copy of this standard, it is hoped that such a document will be provided shortly. Upon receipt, the document will be submitted quickly to the USPTO.

The rejection of claims 1 to 9 under the second paragraph of 35 USC 112, if applied to the claims as amended, is respectfully traversed.

The Examiner stated it was unclear how the thermally transferrable protective layer could be "releasably" provided on the substrate. It is respectfully submitted that those skilled in this art readily know how "releasably" to provide one element on

another. Indeed, the Oshima et al. '997 patent used to reject the claims specifically recites in its claim 1 as an element for the therein claimed heat transfer cover film, "a transparent resin layer releasably provided on an entire surface of said substrate film." See also the related discussion in the reference. Applicants therefore respectfully submit that those of ordinary skill in the art know full well how "releasably" to provide one layer on another. The Examiner also is directed to the discussion in the instant specification at least at page 11, line 10 to page 12, line 11.

The Examiner stated it was unclear whether a part of the surface of the substrate sheet remote from the heat-resistant slip layer is on the same or a different side from that layer. Claim 1 as revised states that the layer is provided on a part of the substrate sheet surface "opposite to the heat resistant slip layer side." The term "the image-receiving sheet" in claim 1 has been changed to "an image-receiving sheet." Lastly, the Examiner stated it was unclear whether the protective layer is the protective layer transfer sheet or the thermally transferable protective layer. Applicants respectfully submit that the claim is clear; a "protective layer transfer sheet" is a transfer sheet for a

protective layer while the specific recitation of "protective layer" later in the claim refers to the protective layer itself. The claim complies with 35 USC 112.

Claim 4 was criticized for having a range within a range. The claim has been amended to overcome this criticism. The Examiner will note also that claim 1 contains the features of now-canceled claims 2 and 3 and specifies that the adhesive layer contains from 3 to 10% of microsilica based on a resin solid matter in the adhesive layer.

The Examiner remarked with respect to claim 5 that "Coulter counter method" is not defined in the specification. Enclosed herewith is a page from the McGraw Hill Dictionary of Scientific and Technical Terms, 5th Ed., 1994, which describes a Coulter counter as an electronic device for counting the number of cells in a liquid culture. It is believed that the technique is known and available to those of skill in the art.

Claim 8 was criticized for lacking sufficient antecedent basis for the term "the release layer." Claim 8 has been amended to overcome this part of the rejection. All claims are believed to comply with the formal requirements of the Patent Code.

The rejection of claims 1, 2, 4 to 6, 8, and 9 under 35 USC 102 or 35 USC 103 over Oshima et al. '997 is rendered moot by the incorporation of claim 3 into claim 1.

Applicants respectfully traverse the rejection of claims 3 and 7 under 35 USC 103 as unpatentable over Oshima et al. '997 further in view of Kanto et al. '112, if applied to any of claims 1 and 4 to 9.

The Examiner asserts that the primary reference shows all elements of claim 1 (prior to change) but for an adhesive layer containing microsilica; Kanto et al. '112 is cited to show such a layer. The Examiner then asserts that it would have been obvious to the person of ordinary skill in the art to use such a combination to reduce the coefficient of friction on the surface of an adhesive layer. It is asserted in the second full paragraph on page 5 of the Office Action that the discussion in applicants' specification of coefficient of static friction and coefficient of dynamic friction values means that the Oshima et al. '997 articles will "inherently" have those same values. Applicants respectfully but most strongly disagree. The values are particular to applicants' invention and Oshima et al. '997 has no discussion of those particular controls and why they are needed. That

appreciation and understanding comes only from the instant specification.

Applicants moreover respectfully submit that the application, including its working and comparative examples, establishes the patentability of the claims before the Examiner. Oshima et al. '997 in Examples C1 and C2 show use of an adhesive containing 0.4 parts (0.8%) of microsilia; see the top of column 29. The advantages to be gained by using relatively larger quantities of microsilica are not taught or suggested therein.

Kanto et al. '112 also lacks any teaching or suggestion regarding the use of an adhesive layer containing 3 to 10% of microsilica and the specific combination of maintaining a coefficient of friction between the surface of the protective layer and the surface of an image-receiving sheet before thermal transfer of 0.05 to 0.5 in terms of μ_0 (coefficient of static friction) and μ (coefficient of dynamic friction) with the ratio of the former to the latter being in the range of 1.0 to 1.5. The Examiner is particularly directed to the working and comparative examples in the specification and the results appearing in Table 1 at page 22 and in Table 2 at page 23. With respect to the showing in Table 2, it can be seen that print density is also a concern in this

invention. The general discussion and ranges in the references do not lead the artisan to the controls recited specifically in the claims. The reason for maintaining the range of microsilica in the adhesive layer is shown clearly in the working and comparative examples. The rejection should be withdrawn.

The Examiner is thanked for acknowledging receipt of the certified copy of the priority document and for listing the references provided in an Information Disclosure Statement.

Reconsideration of the application in view of the above is earnestly solicited.

Respectfully submitted,

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Enclosure:
Page from McGraw-Hill Dictionary

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1. (Amended) A protective layer transfer sheet comprising:

a substrate sheet;

a heat-resistant slip layer provided on one side of the substrate sheet; and

a thermally transferable protective layer releasably provided on at least a part of the surface of the substrate sheet opposite to the heat-resistant slip layer side, the protective layer comprising a main protective layer and an adhesive layer provided in that order from the substrate sheet side, the adhesive layer containing from 3 to 10% of microsilica based on a resin solid matter in the adhesive layer, the coefficient of friction between the surface of the protective layer and the surface of [the] an image-receiving sheet before thermal transfer being 0.05 to 0.5 in terms of μ_0 (coefficient of static friction) and μ (coefficient of dynamic friction) with the value of μ_0/μ being 1.0 to 1.5.

4. (Amended) The protective layer transfer sheet according to claim [2] 1, wherein the [content of the microsilica is 0.1 to 10%, more preferably] adhesive layer contains from 3 to 5% of microsilica.

5. (Amended) The protective layer transfer sheet according to claim [2] 1, wherein the particle diameter of the microsilica is 1 to 10 μm in terms of the average diameter of secondary particles as measured by a Coulter counter method.

8. (Amended) The protective layer transfer sheet according to claim 1, [wherein the] further comprising a non-transferable release layer [is non-transferable], and, upon thermal transfer, the release layer stays on the substrate sheet while the protective layer is separable from the substrate sheet.